REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 10 and 15 have been amended. New claims 24-29 have been added. Therefore, claims 1-29 are now presented for examination. The following remarks are in response to the final Office Action mailed on July 6, 2004.

35 U.S.C. § 103 Rejection

Claims 1, 2, 3, and 15-17 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Reiner, U.S. Patent No. 6,219,676 ("Reiner") in view of Barroux, U.S. Patent No. 5,923,850 ("Barroux").

Reiner discloses "a method and system to establish and maintain cache coherency between a web server and one or more clients" by "*designating monitor areas* on a data segment of the server, *determining if an activity occurs in one of the monitor areas*, *updating a change log if such activity occurs*, and *indicating the updated status of the change log to the clients*" (Abstract; see also col. 2, lines 36-43, 48-52 and 57-60, col. 7, lines 28-64; emphasis provided). Barroux discloses an "integrated resource [that] is a tool for collecting and managing *survey information* about nodes of a network." (col. 3, lines 41-42; emphasis provided).

As acknowledged by the Examiner, in the final Office Action, mailed on July 6, 2004, "Reiner does not teach predetermined audit interval, an agent program that collects [audit data]." (Office Action, page 2, paragraph 5). Applicants respectfully disagree with the Examiner and submit that Barroux discloses an *integrated resource for collecting survey data* (col. 3, lines 41-41; emphasis provided), which is not the same as an agent program that is resident on the customer system and that collects audit data, as recited by claim 1 (emphasis provided). For

example, the agent program found in claim 1 captures a snapshot of a customer server and also periodically performs audits on the customer server. However, Barroux's *integrated resource* is a tool for collecting and managing survey information about nodes of a network, and does not disclose or reasonably teach performing any sort of auditing or collection of audit data.

Furthermore, claim 1, as amended, in pertinent part, recites "the application server to . . . create future audit data based on results of the comparison of the audit data with the previous audit data, wherein the creating of the future audit data is to facilitate future troubleshooting of the customer system" (emphasis provided). Neither Reiner nor Barroux, individually or when combined, teach or reasonably suggest creating future audit data to facilitate future troubleshooting, as recited by claim 1. Accordingly, for at least the reasons set forth above, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 10 and 15 contain limitations similar to those of claim 1 and accordingly, Applicants respectfully request the rejection of claims 10 and 15 and their dependent claims be withdrawn.

New independent claim 24 contains limitations similar to those of claim 1 and thus, claim 24 and its dependent claims are distinguished from the cited references.

Claims 8, 9, 22, and 23 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Reiner, in view of Barroux, and in further view of Brain Tree ("Policy Manager").

Claims 10-12 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Reiner, in view of Barroux, and in further view of Michael L. Nelson ("NASA Technical Report Server").

Claim 13 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Reiner, in

view of Barroux, in view of the NASA Technical Report Server and in further view of

McDonald et al., U.S. Patent No. 6,530,065 B1 ("McDonald").

Claim 14 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Reiner, in

view of Barroux, in view of the NASA Technical Report Server and in further view of Jim

Whitehead ("Snapshots") further in view of Blea et al., U.S. Patent No. 6,212,531 ("Blea").

With regard to claims 4-9, 13-14, and 18-23, they depend from one of independent claims

1, 10 and 15 and thus, they include the limitations of the claim from which depend.

Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 4-9, 13-

14, and 18-23.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly

requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

The Applicants respectfully petitions for a Two-Month Extension of Time to respond to the outstanding Final Office Action pursuant to 37 C.F.R. § 1.136(a). Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.
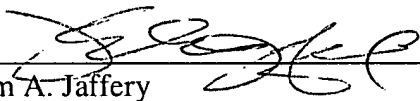
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: __December 1, 2004__   _____

Aslam A. Jaffery
Reg. No. 51,841

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980